IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

Bail Appl..No. 1458 of 2007()

CRIME NO.2/2007 OF CHENGANNUR EXCISE RANGE

PETITIONER/ACCUSED

RAJAMMA, AGED 52 YEARS, W/O. KUTTAPPAN,
ATTUMALIL HOUSE, HOUSE NO.113 OF
PANDANADU PANCHAYAT, CHENGANNUR TALUK.

BY ADV. SRI.K.JAYARAJ

RESPONDENTS: COMPLAINANT

KERALA STATE, REPRESENTED BY
EXCISE INSPECTOR, EXCISE RANGE OFFICE,
CHENGANNUR, THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1458/2007

Dated this 12th day of March, 2007

O R D E R

The petitioner, a lady, who is the accused in C.R.No.2/2007 of Chengannur Excise Range for an offence punishable under Section 8(2) of the Abkari Act for allegedly having been found in possession of ten litres of illicit arrack on 3.1.2007, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within two weeks from today, the same shall be considered and disposed of by the learned Magistrate preferably on the same day on which it is filed, bearing in mind the decision reported in **Sukumari v. State of Kerala (2001 (1) KLT 22).**

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs